

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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ARMINA A. CHING  
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**THE HONORABLE KARL RHOADS, CHAIR**  
**HOUSE COMMITTEE ON JUDICIARY**  
**Twenty-Eighth State Legislature**  
**Regular Session of 2015**  
**State of Hawai'i**

March 27, 2015

**RE: S.B. 265, S.D. 1; RELATING TO SEX TRAFFICKING.**

Chair Rhoads, Vice Chair San Buenaventura and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in opposition to Senate Bill 265, S.D. 1, with particular concerns about Sections 1, 4, and 7.

The Department strongly believes that Hawaii's current statutes regarding Promoting Prostitution (in the First and Second Degree) are already very strong tools for deterring and prosecuting all forms of "sexual human trafficking," effectively addressing the wide array of means by which offenders further the sexual exploitation of others. In 2011, the Department submitted legislative bills—which were ultimately enacted—to heighten protections for victims of these crimes, and also to increase the penalties for perpetrators. Since then, the Department has used these laws to successfully prosecute and convict a multitude of offenders, with more cases currently pending prosecution.

Given the current strength of our laws, any changes—such as those proposed in this or the original version of this bill—could negatively impact our existing caselaw, and could negatively impact the way our juries and courts apply and interpret these statutes in trial. While we appreciate the Senate's efforts to limit and fine-tune any such changes, the current language of this bill would significantly narrow the scope of cases that we could prosecute against people who promote or advance the prostitution of minors; the current language of HRS 712-1202(1)(b) covers the broadest possible range of activity. Also, the proposed offense of Sex Trafficking would incorporate multiple elements and terms from other offenses, which would likely be considerably more complicated than simply proving those other offenses. We also note that Section 7 of this bill would require those convicted of Sex Trafficking to register as Tier 2 registered sex offenders, which does not seem adequate for all forms of the proposed offense.

As-is, the Department has been successful in prosecuting offenders of Promoting Prostitution cases, and has been a strong advocate for holding offenders accountable to the fullest extent of the law. Despite our disagreement with this bill, we appreciate the work of the various advocates and will continue to aggressively pursue all cases involving sexual exploitation of victims. We will also continue to identify and divert victims of promoting prostitution from the criminal process and refer them to needed services.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes Senate Bill 265, S.D. 1. Thank you for the opportunity to testify on this matter.

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
FIRST DEPUTY  
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## **OFFICE OF THE PROSECUTING ATTORNEY**

TESTIMONY IN SUPPORT OF SENATE BILL 265, SD1

A BILL FOR AN ACT RELATING TO SEX TRAFFICKING

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Friday, March 27, 2015, 3:00 PM  
State Capitol, Conference Room 325

Honorable Chair Rhoads, Vice-Chair San Buenaventura, and Members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 265, SD1.

We support this Bill with the amendments recommended by the County of Kaua'i, Office of the Prosecuting Attorney: that the Bill revert to its original language with regards to establishing the offense of Sex Trafficking in the First Degree; and that the offense of Sex Trafficking in the Second Degree be deleted. These recommended amendments will best address potential shortcomings with the Senate Draft 1 and also rectify concerns pertaining to a potential conflict with the Promoting Prostitution law.

Human trafficking is the fastest-growing criminal industry in the world and reaps an estimated \$150 billion annually, second only to the global drug trade. This Bill will rightly place added emphasis on the purveyors of sex trafficking victims (i.e. the pimps and the johns) as the drivers of this global criminal enterprise and put them on notice that their conduct is not acceptable in Hawai'i.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 265, SD1. Thank you for the opportunity to testify on this matter.

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

**Diana Gausepohl-White**  
Victim/Witness Program Director

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

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**TESTIMONY IN SUPPORT OF  
SB265 SD1 WITH AMENDMENTS – RELATING TO SEX TRAFFICKING**

Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i

House Committee on Judiciary and Labor  
March 27, 2015, 3:00 p.m., Conference Room 325

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The County of Kaua'i, Office of the Prosecuting Attorney, **STRONGLY SUPPORTS SB265 WITH AMENDMENTS** – Relating to Sex Trafficking. After a thorough review of the Senate Draft 1 and discussion with stakeholders, we support the amendments proposed by the Pacific Alliance to Stop Slavery in their testimony dated March 24, 2015. Specifically, we recommend that the Bill revert to its original language with regards to establishing the offense of Sex Trafficking in the First Degree. Further, we recommend the offense of Sex Trafficking in the Second Degree be deleted. We believe these amendments will best address potential shortcomings with the Senate Draft 1 and also rectify concerns pertaining to a potential conflict with the Promoting Prostitution law.

Hawai'i is one of two states with no sex trafficking statute to define the offense of sex trafficking. This Bill will promote a more victim-centered approach, allow for keeping of accurate statistics and studies and allow for early recognition of victims as victims. Human trafficking is the fastest-growing criminal industry in the world, second only to the global drug trade. This Bill will rightly place added emphasis on the purveyors of sex trafficking victims (i.e. the pimps and the johns) as the drivers of this global criminal enterprise and put them on notice that their conduct is not acceptable in Hawai'i.

Accordingly, we are in STRONG SUPPORT of SB265 SD1 WITH AMENDMENTS. We request that your Committee PASS the Bill.

TO: Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

HEARING: Friday, March 27, 2015  
3:00 PM  
Conference Room 325

FROM: Melody Rolnick - Family Programs Hawaii

RE: SB265 – Relating to Sex Trafficking

I am writing to support SB265 because sex trafficking is one of the most gruesome and shocking crimes a child should have to endure. As an advocate for foster youth, I am especially concerned because children in or leaving foster care are at an elevated risk of becoming victims of sex trafficking.

In 2013 60% of sex trafficking victims recovered as part of a FBI raid from over 70 cities were children from foster care or group homes. In 2012 Connecticut reported that 86/88 child victims of sex trafficking were child welfare involved. I am sure if similar studies were done in Hawaii, we would see correlations between child sex trafficking and child welfare or group home involvement.

Hawaii is a prime location for sex trafficking because of the tourism, military hubs, business and trade conferences and because it is an international travel destination. Sex trafficking is happening here in Hawaii!! When I worked as a shopkeeper in Waikiki sex trafficking occurred right outside my shop.

I support SB265 and imposing fines upon sex traffickers and those paying sex traffic victims for sex. Please help us to stop the exploitation of children, women, men and our community.

Thank you for hearing my testimony,

Melody Rolnick  
YES Hawaii Program Coordinator

March 24, 2015

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Rep. Della Au Belatti  
Rep. Dee Morikawa  
Rep. Tom Brower  
Rep. Mark M. Nakashima  
Rep. Richard P. Creagan

Rep. Gregg Takayama  
Rep. Mark J. Hashem  
Rep. Justin H. Woodson  
Rep. Derek S.K. Kawakami  
Rep. Bob McDermott  
Rep. Chris Lee  
Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Friday, March 27th, 2015  
TIME: 3:00pm  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

**RE: IN SUPPORT OF SB265 SD1 WITH AMENDMENTS  
RELATING TO SEX TRAFFICKING**

Dear Committee on Judiciary and Labor

The Pacific Alliance to Stop Slavery (PASS) supports **SB265 SD1 with amendments**. The struggle to establish a sex-trafficking law began in 2005 and the implementation of this law is long overdue. A strong sex-trafficking definition would allow the state to move forward progressively in effective combatting human trafficking in a victim-centered way. Simply relying upon the current promoting prostitution statutes are not enough.

However, there are some significant problems that the bill now poses in its current SD1 version. There may be significant constitutional issues that arise from:

- 1) a duplication of statute with current promoting prostitution laws, and
- 2) the bill proposing to make sex-trafficking harder to prove in court for adult victims, and
- 3) the dangerous link by vague definition of "sexual services" as a potentially legitimate form of "labor."

Upon discussing this issue with a representative of the Attorney General's office, PASS respectfully suggests the bill language be reverted to its original SB265 language for establishing sex trafficking in the first degree only and disregarding the second-degree offense to accommodate the concerns raised by HPD and the City Prosecutor.

**§712-1202 [Promoting prostitution] Sex trafficking in the first degree.** (1) A person commits the offense of [~~promoting prostitution~~] sex trafficking in the first degree if the person knowingly:

- (a) Advances prostitution by compelling or inducing a person by force, threat, fraud, or intimidation to engage in prostitution, or profits from such conduct by another; or
- (b) Advances or profits from prostitution of a person less than eighteen years old.

(2) ~~[Promoting prostitution]~~ Sex trafficking in the first degree is a class A felony.

(3) A person convicted of committing the offense of sex trafficking in the first degree shall be assessed a fine not to exceed \$50,000.

~~[-(3)]~~ (4) As used in this section:

"Fraud" means making material false statements, misstatements, or omissions.

"Threat" means any of the actions listed in section 707-764(1)."

PASS strongly feels that the amended definition above is the best definition for establishing and enforcing effective laws against sex trafficking in Hawaii.

Sincerely,

Kathryn Xian  
Executive Director  
Pacific Alliance to Stop Slavery





*46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director*

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**TESTIMONY FOR SENATE BILL 265, SENATE DRAFT 1, RELATING TO SEX  
TRAFFICKING**

**House Committee on Judiciary**

**Hon. Karl Rhoads, Chair**

**Hon. Joy A. San Buenaventura, Vice Chair**

**Friday, March 27, 2015, 3:00 PM**

**State Capitol, Conference Room 325**

Honorable Chair Rhoads and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 300 local members. On behalf of our members, we offer this testimony in strong support of, with proposed amendments for SB 265, relating to sex trafficking.

It's time. A half-decade after our state enacted its first human trafficking law, the moment has come to ban sex trafficking in Hawai'i. In the last five years, policymakers and anti-trafficking activists have made numerous changes to the islands' prostitution code to curb sexual exploitation. In 2011, we increased the grade of offense for promoting prostitution violations to class A and B felonies, subjecting abusive pimps to lengthy jail sentences. In 2012, we made it possible for trafficking survivors to vacate prostitution convictions that were the result of coercion. In 2013, we attacked demand for the sexual exploitation of children by criminalizing solicitation of minors for prostitution. We also required our state's approximately 150 high-risk sex-trafficking establishments, like strip clubs and hostess bars, to put up a poster with the National Human Trafficking Hotline number, and took away the ability for johns to get out of jail free by deferring their sentences. Last year, we closed a loophole that allowed law enforcement to have sex with trafficking survivors during prostitution busts. Equally importantly, we removed the "mistake of age" defense for criminals who buy sex with kids, permitted reverse stings to catch child predators, and raised fines and fees for prostitution charges to make perpetrators pay for the rehabilitation of their victims.

Yet, the progress we've made isn't enough. Hawai'i is set to become the only state in the nation without a comprehensive sex trafficking ban (Virginia, the only other state without a ban, passed a sex trafficking bill in February). Put simply, we still haven't outlawed slavery on our shores. Make no mistake, sexual slavery is what we're debating. Victims of sex trafficking are no

more in control of their actions than Africans oppressed under chattel slavery. According to the U.S. Department of Health and Human Services, sex trafficking survivors experience “terrorizing physical and sexual violence,” as well as “multiple layers of trauma, including psychological damage from captivity and fear of reprisals if escape is contemplated, brainwashing, and for some, a long history of family, community, or national violence.” Studies show that between 60 and 75 percent of prostituted persons are raped and as many as 95 percent are physically assaulted, according to the U.S. Department of State, which notes that such statistics are likely lower than reality because of heightened victim traumatization. Still, nearly 90 percent of prostituted women reported a strong desire to escape in a 2003 study published in the *Journal of Trauma Practice*, a number that's made more urgent by the fact that the average age of entry into the American commercial sex industry is 13-years-old.

Victims of sexual and psychological terror should not be called criminals. Rather, they should be provided with the services needed to restore their health and dignity. When we hoist the “prostitution” label on sex trafficking survivors, as Hawaii's promoting prostitution laws inherently do, we brand them with a unjust code that impedes their ability to obtain housing, higher education, and employment. Branding is a way that pimps mark their victims as property. It has no place in the restitution of human rights. This legal circumstance is exacerbated by the fact that, under HRS §712-1200, johns and prostitutes are criminalized under the same law, creating a mind-boggling legal mess in which sex trafficking victims are penalized with the men who finance their subjugation (and creating a situation in which strengthening penalties for johns concurrently hardens sentences for victims, who are frequently misidentified as voluntary prostitutes and prosecuted for selling sex).

Hawaii is also at high risk of sex trafficking that is expedited by the internet, also known as “cybertrafficking.” Each year, pimps post roughly 110,000 ads for Hawai'i-based prostitution online, using the adult services sections of websites like Backpage.com. High-risk sex trafficking businesses, like massage parlors and escort services, use advertisements featuring nude and semi-nude images to sell sexual exploitation to johns. Legitimate relaxation enterprises are unlikely to risk being mistaken for houses of prostitution by featuring pornographic images in their ads, but brothel owners rely on this kind of commercial deception to peddle sexual subjugation. All too frequently, these businesses, along with pimps using the Internet to cloak street- or hotel-based prostitution, escape accountability for their crimes because of a lack of clarity in our promoting prostitution statutes.

To prevent our sands from being sullied by sexual servitude, lawmakers must approve Senate Bill 265, establishing a sex trafficking statute, while recognizing sex trafficking as a violent offense whose victims should be eligible for crime victim compensation to cover medical and psychological care. Admittedly, implementing a sweeping sex trafficking ban won't cure the islands of sexual slavery. It will lift the label of prostitution off of survivors' heads, though, and allow victims to be accurately identified and placed within a coordinated social services network that unites governmental resources with nongovernmental trauma response expertise.

That said, **we encourage you to amend the bill by reinserting the original Sensate Draft (pre-SD1) language into the measure, which changed our states' "promoting prostitution" laws (§712-1202 and §712-1203) into sex trafficking statutes.** Making this legal transition ensures clarity in enforcement and prosecution, since the evidentiary and prosecutorial elements of the law won't change. In other words, this amendment would create a comprehensive sex trafficking ban without adding new elements of proof, which the current language of the bill may not do. Additionally, the original language will subject johns who purchase sex from trafficked women and children to prosecution as traffickers themselves, since their money fuels the demand that drives the commercial sex industry. Finally, to ensure that operators of "front businesses" are brought to justice and disallowed to continue victimizing women and children, we encourage you to amend this bill by adding an additional subsection to the sex trafficking statute(s) to read: **"Upon conviction of a defendant for an offense under subsection (1), the court shall also order that any and all business licenses issued by the State be revoked for the business or enterprise that the defendant used to aid in the offense of sex trafficking in the first/second degree; provided that the court, in its discretion, may reinstate a business license upon petition to the court by any remaining owner or partner of the business or enterprise who was not convicted of sex trafficking in the first or second degree."** This will prevent perpetrators from using legitimate business licenses to hide trafficking activities, while providing an avenue for relevant business partners to evade financial harm for crimes to which they may have been unaware or legally exculpated. We note that the same language is used in our state's second degree labor trafficking code under HRS §707-782.

While stopping sex trafficking is an ambitious goal, passing this proposal will signal our common commitment to that cause. It will send the message that slavery will not be tolerated on our watch. Not in our neighborhoods. Not on our islands. Not anymore. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,  
Kris Coffield  
*Executive Director*  
IMUAlliance



ONLINE TESTIMONY SUBMITTAL  
House Committee on Judiciary  
Hearing on Friday, March 27, 2015 @ 3:00 p.m.  
Conference Room #325

**DATE:** March 23, 2015

**TO:** House Committee on Judiciary  
Rep. Karl Rhoads, Chair  
Rep. Joy San Buenaventura, Vice Chair

**FROM:** Eva Andrade, President

**RE:** Support for SB 265 SD1 Relating to Sex Trafficking

Aloha and thank you for the opportunity to submit testimony in support of this measure. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. We represent a network of various Christian Churches and denominations. We support this bill that would clarify sex trafficking offenses and amends the eligibility requirements for an offender of promoting prostitution in the first degree if the offender exploits a child under the age of 18.

The U.S. State Department estimates that thousands of human beings, many of them children, are trafficked each year into the United States to work in the sex trade or as slave labor. Women and children have been forced to work in prostitution and child pornography rings, and even coerced into different types of manual labor, without pay or protection. As a faith-based organization that cares deeply about the family, especially the sexual exploitation of our children, we find this both reprehensible and unacceptable.

In Hawaii, many child victims of human trafficking commonly seek to escape their personal struggles with the hope of finding opportunity and a brighter future. It is in these types of environments that human traffickers flourish, promising these precious keiki an opportunity to travel, at no immediate expense, for employment and housing. What they find instead, is coercion, abuse, entrapment, and sexual exploitation in a brothel, a massage parlor, or even an agricultural outpost. By the time they are rescued, if ever, they are shattered by physical, mental, and psychological abuse. Many become ill and some have even lost their lives.

As a faith-based organization that fought to protect children from sexual exploitation (our organization was instrumental in the raising of the age of consent in Hawaii from 14 to 16), we support this measure and appreciate the hard work of other advocacy organizations that have fought for more protections for victims. Protection of our keiki from sexual exploitation must continue to be a top priority for Hawaii and providing needed support and services to these victims is crucial!

Mahalo for the opportunity to support this measure.

THE LIBERTARIAN PARTY OF HAWAII  
C/O 1658 LIHOLIHO ST #205  
HONOLULU, HI 96822

**TESTIMONY**

March 23, 2015

RE: **SB 265 SD1** to be heard Friday March 27, 2015 in Conference Room 325 at 3:00 PM

To the members of the House Committee on Judiciary

**OPPOSED**

**A better approach would be to lower prison terms back to their old class B and C levels and put the money saved on incarceration into programs aimed at helping people in the sex industry.** This is common sense. The length of prison term is not the deciding factor in deterring these crimes. No one wants to go to jail for ten years. Making the penalty twenty only costs the tax payers money. This bill is not aimed at problem solving, but at pandering to angry advocates.

Anti-trafficking advocates seek to set up a two tiered system for the treatment of persons working as prostitutes. This bill will help motivate individuals to tell sex trafficking victim stories to avoid the consequences of their own actions. Many of the stories we are hearing about now are likely fabrications by people who wish to please those offering free services, housing, job training etc., to victims. Prostitutes who do not tell these stories get jail, and a lifetime blemish on their records that can hurt employment and future relationships with men. Only by offering the same treatment to all will we be able to give credibility to the stories told by alleged victims. **As long as prostitution remains a crime for persons not telling a trafficking story the reliability of any victim witness must be seriously doubted at trial.**

There are plenty of qualified professional people in the social service and academic community with real knowledge of these subjects. The legislature has consistently ignored requests to meet with or discuss these issues with any of them. Apparently any expert opinion that challenges what you want to do politically is not to be considered.



Tracy Ryan  
Chair, The Libertarian Party of Hawaii

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The Public Policy Voice for the Roman Catholic Church in the State of Hawaii

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**HEARING:** House Committee on Judiciary

**SUBMITTED:** March 23, 2015

**TO:** House Committee on Judiciary  
Rep. Karl Rhoads, Chair  
Rep. Joy San Buenaventura, Vice Chair

**FROM:** Walter Yoshimitsu, Executive Director

**RE:** Support for SB 265 SD1 Relating to Sex Trafficking

Honorable Chairs and members of the House Committee on Judiciary, I am Walter Yoshimitsu, **representing the Hawaii Catholic Conference**. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii, which under the leadership of Bishop Larry Silva, represents Roman Catholics in the State of Hawaii.

The Catholic Church has placed the elimination of human trafficking as an important priority in the areas of public advocacy, public education, and services with respect to the victims. We are working to raise awareness within the Catholic community about the problem, including education, to help people in the community identify and understand the problem of human trafficking.

Trafficking victims need, first and foremost, safety and security. Many of them are terrified of the traffickers who brought them to Hawaii. Providing them with a secure, safe, and nurturing environment is crucial to ensuring their return to society as contributing members. The Church and its service organizations, does all that it can to provide support services to both adult and child victims of trafficking, including health and mental health services, employment assistance, English-language training, counseling, housing and other material assistance needs; however, there is so much more to be done.

The themes of Catholic social teaching—the protection of human dignity and human rights; the option for the poor; the call to family and community; the rights of workers; solidarity and care for creation—all address evils inherent in the trafficking of human beings. These principles of justice are not unique to Catholicism but are manifest in most religions. Commitment to these principles gives the issue of human-trafficking a sense of urgency to many faiths and religious communities. For this reason we strongly support passage of this measure but respectfully leave the legal application to the experts.

Mahalo for the opportunity to testify.



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**FamilyProgramsHawaii.com**

TO: Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

HEARING: Friday, March 27, 2015 • 3:00 PM • Conference Room 325

FROM: Judith Wilhoite  
Family Advocate  
Family Programs Hawai'i, It Takes An 'Ohana

RE: SB 265 Relating to Sex Trafficking

Thank you for the opportunity to testify. I am the Family Advocate for Family Program Hawaii's *It Takes An 'Ohana* (ITAO) program and a resource caregiver, formerly referred to as foster parent. I, along with my Advisory Committee, strongly support SB 265.

Statistics from the Department of Justice show that the average age of entry for girls into sex trafficking is between 12 to 14 years. *We're not talking about young women here, we are talking about children!* Even more horrifying to a foster mother are reports that 50% of children sold into trafficking in California are foster care children<sup>1</sup> and 60% of children reported missing to the National Center for Missing and Exploited Children who are likely sex trafficking victims were in foster care or group homes when they ran away<sup>2</sup>.

Some factors that make Hawai'i a prime location for sex trafficking are:

- High occurrence of runaways
- International travel destination
- Business and trade conferences
- Military hub
- Tourism
- High rate of intra-familial sexual abuse
- High rate of suicide

Please support the changes in the law asked for in SB265. They are 1<sup>st</sup> steps in setting a path to stopping this travesty by penalizing both pimps and johns while making room for the next steps – setting up a system to help these young women and girls find support and healing through social service referrals and into safe places to begin life anew.

Thank you for this opportunity to voice strong support for SB 265.

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<sup>1</sup> California Against Slavery (CAS) Research and Education. Fact Sheet: Foster Care and Human Trafficking, 2013. [http://www.casre.org/our\\_children/fcht/](http://www.casre.org/our_children/fcht/)

<sup>2</sup> The National Center for Missing & Exploited Children, <http://blog.missingkids.com/post/56795201973/the-national-center-for-missing-exploited>

*We help kids*

Testimony of Malia Lageman  
President  
Cardinal Services  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee. My name is Malia Lageman, President of Cardinal Services and I am a member of Women in Lodging & Tourism, a committee of the Hawai'i Lodging & Tourism Association.

Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I **support** SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth and the fabric of our 'ohana. Please be pono and pass SB 265 SD1.

Mahalo for this opportunity to testify.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments: The Hawaii Women's Coalition is in support of this measure that would create a section in the law governing sex trafficking. We have read the committee report and agree that repealing laws that prohibit prostitution do not have any community consensus at this time. While the coalition has long believed that decriminalization of prostitution would better protect women who choose, or at least believe they choose, to earn a living this way, we also see an urgent need to protect women and children who are forced into sex slavery. We also believe that the crime victims compensation commission needs better funding in order to compensate victims of sex trafficking once this bill is enacted into law. Mahalo for reading, Ann S. Freed Co-Chair, Hawaii Women's Coalition



Testimony of Karen Nakaoka  
Executive Director  
Hawaii Lodging & Tourism Association  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee. My name is Karen Nakaoka and I am the Executive Director of the Hawai'i Lodging & Tourism Association.

Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I **support** SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth. I respectfully ask that you pass SB 265 SD1.

Thank you for this opportunity to testify.



**TO:** Chair Rhoads, Vice Chair San Buenaventura, and Members of the House Committee on Judiciary

**FROM:** Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

**DATE/LOCATION:** March 27, 2015, 3:00 p.m., Conference Room 325

**RE: TESTIMONY IN STRONG SUPPORT OF SB265 SD1 – RELATING TO SEX TRAFFICKING**

My name is Ryan Kusumoto. I am the President & CEO of Parents And Children Together.

**I strongly urge you to support SB265 SD1 – Relating to Sex Trafficking.** Sadly, human sex trafficking exists in our State and impacts all the good we do and value here in Hawai'i. Hawai'i is one of two states with no sex trafficking statute to define the offense of sex trafficking. This Bill will emphasize the criminalization of sex trafficking, promote a more victim-centered approach, provide more tracking of data, and allow for the early recognition of victims as victims.

The crime of human trafficking and the exploitation of humans in this manner is the fastest-growing criminal industry in the world, second only to the global drug trade. Victims are often coerced and forced into these horrific situations, and without criminalizing the acts of their perpetrators, they are left with little options to seek help, refuge, and prevent future incidents from occurring. Its continued growth will only negatively impact Hawai'i's culture, economy, reputation, commerce and industries. This Bill will also place emphasis on those who take advantage of the most vulnerable, as they are the culprits and drivers of this criminal enterprise. This is cutting into the fabric of the Aloha State and is not acceptable here in Hawai'i. We support the passing of this bill.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 13,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 16 programs. Among its services are: developmental screening, early childhood education, child abuse/neglect and domestic violence prevention and intervention, mental health support, youth activities, and community and economic development.

Thank you for the opportunity to testify, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.

Thank you for this opportunity to testify in **strong support of SB265 SD1.**

Testimony of Joslyn Bantilan  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee. My name is Joslyn Bantilan and I am a member of Women in Lodging & Tourism, a committee of the Hawai'i Lodging & Tourism Association.

Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I **support** SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth. I respectfully ask that you pass SB 265 SD1.

Thank you for this opportunity to testify.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Betti Griffen	Ho ola na pua	Support	No

Comments: I strongly support SB 265. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.



Testimony of Julie Arigo  
General Manager  
Waikiki Parc Hotel  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee. My name is Julie Arigo and I am the Chairperson of Women in Lodging & Tourism, a committee of the Hawai'i Lodging & Tourism Association.

Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I support SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth. I respectfully ask that you pass SB 265 SD1.

Thank you for this opportunity to testify.

A handwritten signature in black ink, appearing to read "Julie Arigo", with a horizontal line extending to the right.

HOTELS & RESORTS OF HALEKULANI

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaleo Schneider	Individual	Support	Yes

Comments: I have been working on supporting legislation for a sex trafficking law for the past three years here in Hawaii. It is time now and way past due that we enact this legislation. We are the only state in the U.S. without such a law. I strongly support SB265 and I intend to testify in person on Friday March 27. We must begin to use the proper language when speaking about this population. We must also begin to see this population as victims and separate them from the pimps and johns which our prostitution and promoting prostitution laws do not presently do. Mahalo Kaleo Schneider

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maureen King	Individual	Support	No

Comments: Please pass SB265 and put a stop to sex trafficking. Children's lives are being ruined because of sex trafficking! Perpetrators must be held accountable and made to pay for the damages that they have done to the innocent child victims. Children are innocent!



Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Onderko	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Strongly Support SB265 with amendments suggested by PASS and IMUA Alliance.

Submitted By	Organization	Testifier Position	Present at Hearing
Tadia Rice	Individual	Support	No

Comments: I support SB265 with amendments suggested by PASS and IMUA Alliance.

I would like to submit testimony in **Support of SB265 SD1 with amendments suggested by PASS and IMUA Alliance.**

When I worked downtown on Bishop Street, my male co-workers would mention being approached by prostitutes when they left the office in the evening. It was a regular occurrence. They would also joke about which "clubs" and "massage parlors" were the ones where you could buy sex. In most cases, it was pretty obvious.

Many of the victims of sex trafficking are vulnerable minors, fleeing abusive situations at home. We have to do more to protect them.

It is time for Hawaii to join the rest of the nation and ban sex trafficking.

**Please pass SB265 SD1 with amendments suggested by PASS and IMUA Alliance.**

Thank you,

Sayoko Blodgett-Ford  
Kailua, Oahu

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	Individual	Support	No

Comments: Aloha, Thank you for hearing this important bill. I support SB265 with amendments suggested by PASS and IMUA Alliance. Mitsuko Hayakawa Pearl City

Aloha,

My full name is Danielle Suzanne McKellar Alexander and I am writing this letter in support of SB265 SD1 with amendments as proposed by PASS and the IMUA Alliance.

This is a serious matter that cannot wait, nor can it be ignored. Human beings are not for sale. No children are for sale for sex. Human beings are not a commodity, nor are they chattel.

Please do what is write and pass this bill.

Mahalo,  
Danielle

Submitted By	Organization	Testifier Position	Present at Hearing
Isis Usborne	Individual	Support	No

Comments: I support this bill with the amendments suggested by PASS and IMUA Alliance.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonathan Fatu Jr	Individual	Support	No

Comments: This should be common sense. Anyone opposing the measure will have a hard time explaining why it is not considered a serious crime in Hawai'i to traffick a young child.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
minda goodman	Individual	Support	No

Comments: I support SB265 SD1 with amendments suggested by PASS and IMUA Alliance.

Submitted By	Organization	Testifier Position	Present at Hearing
La'Shawnda Smith	Individual	Support	No

Comments: Sex trafficking is inhumane and disgusting. And it must be stopped

Submitted By	Organization	Testifier Position	Present at Hearing
Maia Tjarks	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Leilani Birely	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimberley Coburn	Individual	Support	No

Comments: I am submitting testimony in support of SB265 SD1 with amendments suggested by PASS and IMUA Alliance. I know that PASS and IMUA support the watered down version because they fear a veto from the Governor - so I am supporting the bill with amendments because as women, we take what we can get in terms of justice - never what we deserve; we deserve the full protection of the law when we are victimized, abused, coward, beaten, threatened and used. What we get is a legal system that blames us, sneers at us, rolls their eyes at us. How, in a civilized world, the law can still fail to make it an actual crime to victimize people in this way is no mystery - it's a clear indication of the imbalance of power and the failure of our law makers to do what is right. I support a bill that does ALL of the things the original bill intended; Since I cannot have that, I will instead support SB 265 with the PASS and IMUA amendments added. If we pass NOTHING in support of this issue, I will probably be too disgusted to vote again in my lifetime.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Norbert Kitashima	Individual	Support	No

Comments: I wholeheartedly support this bill. Sex trafficking is becoming a serious issue in our state and we need stronger laws to protect these women who are victims of these predators.

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary  
Friday, March 27, 2015

Clarence B. Vierra Jr.  
808-551-0874, cbvierra@hawaii.edu

### Support for SB 265, Relating to Sex Trafficking

Aloha, my name is Clarence B. Vierra Jr. I am a Father who has two daughters; I am a grandfather of a beautiful 7-year-old granddaughter, I am also a student in the Myron B. Thompson School of Social Work at the University of Hawaii Mānoa, and I am your constituent. I am submitting my written testimony in support of Senate Bill 265. I am testifying in support of SB 265 because the State of Hawaii does not have any laws or policies clearly defining the issue of sex trafficking under aged girls and boys in the state of Hawaii.

There are countless reasons why I urge you to support this bill, one of those reasons is Hawaii is 1 of 2 states in our country that does not have a law that clearly defines “Sex Trafficking” as reported by Shared Hope International. Changing the term to Sex Trafficking allows for stiffer penalties and fines to be assessed against those who are participating in this illegal activity here in our state. Contrary to popular beliefs and myths by the Honolulu Police Department, Public Defenders Office and the State Prosecutor, the terms need to be changed, these girls are not willing participants, they are not walking the streets, and they are definitely not out there having a good time. These young under aged girls are the ones that secluded in massage spas, strip bars and used online and delivered to your front door. They are beaten, raped, held against their will, forced, coerced, and are threatened with violence to their families’. The average age of girls being trafficked in Hawaii is 13, many are runaways and some are from affluent families’, No matter what this crime has exploded in our state and we have to take a stand.

There is a great difference in the current terms being used “Promoting Prostitution” in comparison to redefining the crime as “Sex Trafficking” especially when it comes to dealing with this social injustice in the state of Hawaii. Trafficking as defined by the Black Law Dictionary states that it is only considered trafficking when the person is being transported or removed from the country, taken across state lines and so on. Well, needless to say that excludes Hawaii, however, sex trafficking has evolved tremendously over the past decade and has literally out grown its definition according the law dictionary.

In closing, I urge you to please pass SB265, Passing this measure would be a positive start for our state in taking a proactive approach in addressing the issue of Domestic Minor Sex Trafficking. Hawaii can no longer allow the manipulation and violent acts of sexual abuse against defenseless young boys and girls of Hawai’i to continue. We must make these changes to stop the madness, this law will send a message to the rest of the 49 states that Hawaii is taking a stand, it will also send a message to the world that Hawaii WILL NOT TOLERATE sex trafficking in our islands. Thank you for your time and opportunity in allowing me to testify in support of Senate Bill 265.

Mahalo,

Clarence B Vierra Jr.





<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl	Individual	Support	No

Comments: Hawai'i needs to have a sex-trafficking law. Please listen to those who directly work with this human rights violation daily. They can help you write a law that will begin to put an end to the terrible things that happen in the sex traffic industry. It is not what Hawai'i wants to be known for.

I strongly support SB265 and I will be at the hearing this Friday, March 27.

I have been supporting legislation for a sex trafficking law for the past three years here in Hawaii. We are the only state in the U.S. without such a law. It is well past time to catch up with the rest of the United State and enact a law that uses correct and specific language when speaking of victims of sex trafficking.

It is time to join the rest of the country and enact legislation that recognizes that victims of sex trafficking are modern day slaves and deserve protection under the law that other crime victims are accorded. Our prostitution and promoting prostitution laws do not presently do this.

Mahalo,

Jan Cook

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Ruiz	Individual	Comments Only	No

Comments: Aloha my name is Diana and i am a local business owner and resident of hawaii for the last 10 years. i support this bill. we live in an extremely transient city and we are a perfect location for such violations to occur. we need to protect our keiki and tell the rest of the world that Hawaii will not tolerate this type of abuse and exploitation. we are the last state in the us to recognize/ have a sex trafficking law...its a SHAME. it must end now. mahalo

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeremy White	Individual	Support	No

Comments: Aloha and mahalo nui for the opportunity to testify in STRONG SUPPORT of SB265 SD1. I have worked in social services for over two decades and have seen, firsthand, the devastation that sex trafficking reeks on youth and families who are its victims. Youth who are used for sex trafficking suffer not only physical effects, but disturbing mental, emotional, and psychological effects that take a toll for a lifetime. Sex trafficking affects LGBT youth at an alarming rate and LGBT youth who are homeless are much more likely to be sex trafficked, making them extremely vulnerable. Many of these youth have been kicked out of their families/homes and are deceived into a life of being trafficked by despicable adults who prey on these vulnerable teens. As a community, we are responsible for protecting these youth and for making sure the adults who sex traffic them are prosecuted to the full extent of the law. I urge you to please pass SB265 SD1 and take a stand for our youth and for others who are vulnerable to sex trafficking. Mahalo nui, Jeremy White BSW

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Lucia You	Individual	Support	No

Comments: I support SB265 with amendments suggested by PASS and IMUA Alliance.  
Please pass this bill and protect vulnerable people

Dear Representatives;

Thank you very much for the opportunity to express my views on SB 265 SD1. I strongly support this bill.

Sex trafficking is a horrible crime and must be dealt with severely and swiftly. Increasing the penalties for this horrendous crime is critically needed to justly prosecute the perpetrator and hopefully decrease victims of this unthinkable crime.

Please support SB 265 SD1.

Mahalo for your time and thoughtful consideration.

Lisa Poulos

Testimony of Barbara A. Campbell  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee.

My name is Barbara A. Campbell, and I am a member of Women in Lodging & Tourism, a committee of the Hawai'i Lodging & Tourism Association.

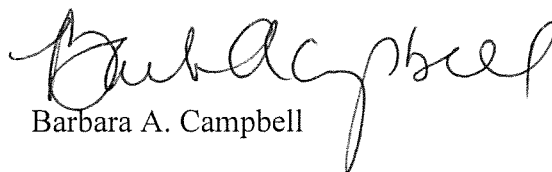
Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I **support** SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth. I respectfully ask that you pass SB 265 SD1.

Thank you for this opportunity to testify.

Sincerely,



Barbara A. Campbell



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
leslie drechsler	Individual	Support	No

Comments: I strongly support SB 265. We're now the last state without a sex trafficking law, which greatly hinders the identification of actual victims. We must start using proper language when speaking about victims, as they are not criminals - especially those who are underage. Mahalo

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emilie Harrell	Individual	Support	No

Comments: I strongly support SB 265. Exploration if our children has happened long enough in Hawaii. This is becoming a very large problem locally when our youth don't have the protection against such terrible criminals. These crims have lasting effects on our kids! Please join us to help stop the violence and stop the fear and torture of our Keiki! Our kids have the right to grow up in a place without fear.

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments: Listen to the Pacific Alliance to Stop Slavery. I double down on that testimony!

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maria Nicoll	Individual	Support	No

Comments: I strongly support SB 265. I was shocked to learn Hawaii recently became the last state in the union not having sex trafficking law(s).

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carrie Martell	Individual	Support	No

Comments: I strongly support SB 265. Hawaii should not be the last state in the country to pass a law to protect our children. Not Hawaii! We have too much love and compassion for the mistreated and lost children that have fallen victim to these evil predators. Not on our watch. Please help. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lani Minihan	Individual	Support	No

Comments: I support protecting our children and the end of Sex Trafficking in Hawai'i!

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Nelson	Individual	Support	No

Comments: It's embarrassing that Hawaii doesn't even have a law against sex traffickers. They are committing felonies

Please pass SB 265:

It is devastating that sex trafficking is the largest form of slavery in human history. Sex trafficking shatters the lives of millions of young girls and women by causing severe suffering to them not only sexually, but also physically, emotionally, spiritually, financially, and mentally. The legal system only furthers their trauma by treating them as perpetrators of crime rather than the victims of injustice that they are. This is especially true for female children and female children, as these people within these age categories are still undergoing formative brain development that will set the course for the rest of their lives.

The only way to eliminate sex trafficking is to prosecute those who contribute money to its existence. This includes pimps, managers of johns, and those who pay for encounters with sex trafficking victims (i.e. “prostitutes”) and even for porn. Switzerland enacted measures such as these, and they effectively reduced sex trafficking by approximately 88%!

I therefore stand in strong support of SB 265 to rightfully address “promoting prostitution” as “sex trafficking,” and to change the charges of channeling young girls into sex trafficking from a class C to a class B felony.

Yours Truly,

Jessica Yapple  
Registered voter from Aiea, HI



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lindsey carry	Individual	Support	No

Comments: As an health care Consultant & individual who has worked in Hospitals for 25+ years, I support SB 265 Relating to Sex Trafficking. Please support this Bill for the well being & health of our keiki & young girls. Mahalo, Lindsey Carry, M.Ed. Carry Consulting Group, Inc.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Terri Yoshinaga	Individual	Support	No

Comments: I strongly support SB 265. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jenna sampaio	Individual	Support	No

Comments: The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary  
Friday, March 27, 2015

Jasmine M. Choy  
(808) 741-7609  
[jchoy78@hawaii.edu](mailto:jchoy78@hawaii.edu)

#### Support for SB 265, Relating to Sex Trafficking

Aloha, my name is Jasmine M. Choy and I am a single mother of four children; two girls, ages 12 and 11 and two boys, ages 8 and 5. I am an aunty to two nephews, ages six and four and one niece, age 13. I am also a student in the Myron B. Thompson School of Social Work at the University of Hawaii at Mānoa. I am submitting my written testimony in support of Senate Bill 265. I am testifying in support of SB 265 because the State of Hawai'i does not have any laws or policies that clearly defines the issue of sex trafficking under aged girls and boys in the state.

There are multiple reasons why I urge you to support this bill, one of those reasons is that I have four children, nephews, and nieces. As a single parent, it is impossible to be with my children all day, every day. I am gravely concerned for the safety and well-being of my children, my nephews and nieces, and all other children in our state. I cannot do this alone; I need the help of my family, friends, and our legislators. I am a firm believer in the saying that it takes a village to raise a child. Yes, although legislators are not actively in the lives of my children and the children of the constituents of Hawai'i, the laws and policies that are enacted are an extension of legislators, and in that way, you are all helping to raise my children, my nephews and nieces; all the children of Hawai'i.

I urge you to support this bill because I have learned that the term "Sex Trafficking" is not clearly defined in Hawai'i as reported by Shared Hope International. Not having a clear definition poses a grave injustice to the multitudes of victims of sex trafficking. The perpetrators of sex traffic crimes are likely to go without consequences because the law has not caught up to the way this crime has been evolving.

Contrary to popular beliefs and myths by the Honolulu Police Department, Public Defenders Office and the State Prosecutor, the terms need to be changed, these girls are not willing participants, they are not walking the streets, and they are definitely not out there having a good time. These young under aged girls are the ones that secluded in massage spas, strip bars and used online and delivered to your front door. They are beaten, raped, held against their will, forced, coerced, and are threatened with violence to their families'. The average age of girls being trafficked in Hawaii is 13, many are runaways and some are from affluent families', No matter what this crime has exploded in our state and we have to take a stand.

In closing, I urge you to please pass SB 265. Passing this measure would be a positive start for our state and would allow us to have a proactive approach in addressing the issue of Domestic Minor Sex Trafficking. We must make these changes in order to stop these violent acts from happening to our children, the children of Hawai'i. Making these adjustments, would send the message that Hawai'i WILL NOT TOLERATE sex trafficking in our islands. Thank you for your time and the opportunity to testify in support of SB 265.

Mahalo,

Jasmine M. Choy

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caryl Oros	Individual	Support	No

Comments: Yes! to the passage of this important SB265 bill to prosecute sex traffickers in the state of Hawaii. Victims are too young and helpless against these predators and it ruins their lives forever. We need to have this bill on the books ASAP. Do it this year PLEASE

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nakeli Blanchard	Individual	Support	No

Comments: I strongly support SB 265! On behalf of my family from the North Shore and my Friends that see this issue of sex trafficking not only on Honolulu streets but also seen here in the country right up our road! We want safety for our children and safety on the streets for all. Please hear the cry of help from the victims and the cry for a hope and future for them.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leah Flores	Individual	Support	No

Comments: I strongly support SB 265. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures. Thank you.

Submitted By	Organization	Testifier Position	Present at Hearing
Mavourneen Kelly	Individual	Support	No

Comments:



Testimony of Brenda Lowe  
Financial Controller  
Halekulani  
House Committee Judiciary  
Hearing on March 27, 2015, 3:00 p.m.  
SB265 SD1 Relating to Sex Trafficking

Dear Chair Rhodes, Vice Chair San Buenaventura, and Members of the Committee. My name is Brenda Lowe and I am a member of Women in Lodging & Tourism, a committee of the Hawai'i Lodging & Tourism Association.

Please allow me to offer this testimony regarding SB265 SD1 Relating to Sex Trafficking, which replaces the term "promoting prostitution" with the term "sex trafficking" and increases the criminal penalties of sex trafficking.

I **support** SB265 SD1. The issue of sex trafficking is global and growing. The lodging industry across the country is working to combat the abhorrent practice of human trafficking, and more specifically child sex trafficking. We need State laws that further criminalize sex trafficking and protect the rights of the victims.

Selling and exploiting underage girls for sex generates huge profits for sex traffickers while destroying the lives of our youth. I respectfully ask that you pass SB 265 SD1.

Thank you for this opportunity to testify.

TO: Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

HEARING: Friday, March 27, 2015  
3:00 PM  
Conference Room 325

FROM: Esther B. McDaniel

RE: SB265 – Relating to Sex Trafficking

Dear Representatives:

*I support SB 265.*

*I am currently a licensed foster parent and very concerned about our keiki in foster care. Across the nation it has been shown there is a connection between child sex trafficking and our nations foster care system. There is legislation introduced by Representative Karen Bass (D-Calif) and Representative John Kline (R-MN) that so far has passed unanimously by the House. This bill will help to connect child victims of trafficking to appropriate services and prevent further exploitation. Although different than SB 265 – H.R. 469 at the federal level validates the need for our individual states to act upon protecting our children from sex trafficking rather than treating them as criminals.*

*I agree with the words of Rep. Bass:*

"Children should never be treated as prostitutes. They are victims. And the men who abuse these children are not johns. They are child molesters. For far too many girls, our foster care system is a gateway to becoming a sex trafficking victim. Our children are our most precious resource, and we all have a responsibility to protect them. "

*The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals.*

*Across the nation we have seen that some of our most vulnerable children, those who are in the foster care system, have the highest rate of being sexually exploited. When you look at some of the statistics on this issue it also shows that this has been going on for years.*

*A 2007 report from the U.S. Department of Justice found that 85% of identified child sex trafficking victims in New York State had contact with the child welfare system, and the FBI estimates that 70% of child sex trafficking victims in Florida were child welfare involved.*

*In Los Angeles County, 59 percent of the 174 children arrested in 2010 on “prostitution” charges had contacts with the child welfare system, and 58 percent of 72 sexually trafficked girls in Los Angeles County’s STAR Court in 2012 were children in foster care. Under-age girls should never be arrested and charged with prostitution when they are victims.*

*In 2012, Connecticut Children and Families Commissioner Joette Katz testified in the United States Senate that 98% of child victims of sex trafficking were child welfare involved.*

*The average age of entrance into commercial sexual exploitation is 13 years old.*

*How will we begin to protect our children here in Hawaii from child sex trafficking? Please do not let our children mirror the statistics shared above. I believe SB 265 is a step in the right direction.*

*For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.*

*Submitted with much aloha,*

*Esther B. McDaniel  
Wahiawa, Hawaii*

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kim Max	Individual	Support	No

Comments: Aloha Chair and Members of the Committee, I strongly urge you to support SB265, SD1. This is a wonderful, comprehensive, and long overdue bill that addresses the problem of human trafficking on several fronts and it is badly needed and desired here in the state, especially in Chairman Rhoad's district. Please take the amendments proposed by PASS and Imua Alliance under consideration. Mahalo

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eldean Kukahiko	Individual	Support	No

Comments: I strongly support this bill. It is long overdue. Please protect our keiki.  
Mahalo

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Martin	Individual	Comments Only	No

Comments: I support SB265 in regards to Sex Trafficking.

TO: **COMMITTEE ON JUDICIARY**  
Rep. Karl Rhoads, Chair  
Rep. Joy San Buenaventura, Vice-Chair

SUBJECT: Relating to Sex Trafficking

HEARING: Friday, March 27, 2015 3:00 pm  
Conference Room 325  
State Capitol  
415 South Beretania Street

**Testimony in support of SB 265 SD1: RELATING TO SEX TRAFFICKING**

I am providing testimony to today as a graduate student in the Myron B. Thompson School of Social at the University of Hawaii at Manoa, in **strong support** of SB 265 SD1. With the recent passing of Virginia's first stand-alone law against sex trafficking in early March, the state of Hawaii currently remains the only state in the nation without a comprehensive sex trafficking ban in legislation.

One of the proposals within SB 265 increases the severity of crimes and offenses related to the promotion of sex trafficking through the enactment of longer sentences and higher fines. This "victim-centered" approach adopted through the passing of this bill will help to redirect focus to root of the problem and increase the probability that one day the number of lives affected by sex trafficking will be reduced. I strongly urge the members of this committee to take the first step in remedying this longstanding problem and gap through the passing of this bill.

Thank you,  
Karen Ly  
Graduate Student  
UHM, Myron B. Thompson School of Social Work

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair

Committee on Judiciary

SB 265, SD1

Friday, March 27, 2015 3:00pm

State Capitol, 415 South Beretania Street, Conference Room 325

Thank you for providing me the opportunity to testify on such an important bill. My name is Laura Ramírez, and I am a student and active citizen in Hawai‘i, writing today in **strong support** of SB 265, SD1, relating to sex trafficking, **with amendments**.

It is abhorrent that Hawai‘i remains one of only two states without a statutory definition of sex trafficking. Hawai‘i must stand for social justice and the protection of its vulnerable populations. This bill is a positive step in the right direction towards distinguishing the victims of sex trafficking as victims, not as criminals. These victims are not willing participants but forced and exploited by both the *johns* and the soliciting individuals. It is vital that this bill is passed to separately identify victims from perpetrators.

Please pass this bill with amendments suggested by PASS and IMUA Alliance: reverting the language for sex trafficking in the first degree to the language of the original SB265 draft.

This bill offers the opportunity to protect both the exploited and vulnerable of Hawai‘i, begin to take better statistics in regards to sex trafficking, and take a stand that Hawai‘i will no longer allow slavery on our islands.

Thank you for the opportunity for me to express my support for SB 265, SD1.

Laura Ramírez



Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Grace S. Liava'a

54-274 Kamehameha Highway, PO BOX 441 Hauula HI 96717.

(808) 342-4297

Friday, March 27, 2015

Support for SB 265 SD1, Relating to Sex Trafficking

Please pass SB 265 SD1

Hello, my name is Grace Liava'a, I am a full time student at the University of Hawaii working towards my Bachelor's degree in Social Work. This is my first time attending a hearing and submitting a testimony.

I support SB 265 SD1 and ask you vote yes. Hawai'i is one of only two states without a comprehensive sex trafficking ban. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals.

Additionally, this bill would penalize johns who solicit sex from trafficking victims as traffickers themselves. When we penalize johns who purchase sex from women and children, we reduce the financial cycle that keeps sex traffickers in business.

The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

Thank You,

Grace S. Liava'a

Karl Rhoads, Chair  
Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Tania Arreygue Nguyen

March 26, 2015

Support for S.B. No. 265, Relating to Sex Trafficking

I am in support of S.B. No. 265 because Hawaii has recently become the last state in the United States without an anti-sex trafficking statute. This means there is little we can do to protect the thousands of yearly human trafficking victims here in Hawaii. Because Hawaii's location is a hotspot for migrant traffickers, sex trafficking in Hawaii will continue to thrive unless we stand together as one to increase advocacy and enact stronger laws.

The lack of sex trafficking laws prevents the proper identification of victims, who are otherwise banned as criminals and are not given the services they so desperately need. Furthermore, this bill would penalize johns who solicit sex from trafficking victims as traffickers themselves. When we penalize johns who purchase sex from women and children, we reduce the financial cycle that keeps sex traffickers in business.

The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

I am in agreeance with any measure that will help put an end to this. Sex trafficking is an urgent issue that needs to be addressed immediately - the longer we wait, the more the victims of this heinous crime will continue to struggle and die. There is no reason why we have failed to pass sufficient policies that adequately address the issue of sex trafficking. Sex trafficking victims are a vulnerable, infirm population who's voice needs to be heard and advocated for. "The life of the land is perpetuated in righteousness" is the island motto atop the seal that hangs over the state capitol. Let us stay true to this motto and finally put a ban on sex trafficking in Hawaii.

Christopher D. Yanuaria, MSW  
P.O. BOX 17732  
Honolulu, HI 96817

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair

COMMITTEE ON JUDICIARY

Friday, March 27, 2015 3:00 PM

State Capitol, 415 South Beretania Street, Conference Room 325

**RE: SB 265 (SD1) RELATING TO SEX TRAFFICKING**

Establishes the offense of sex trafficking as a class A felony. Includes offense of sex trafficking in the department of the attorney general's statewide witness program. Includes the offense of sex trafficking in the list of violent crimes for which victims may be eligible for criminal injury compensation. Amends the offense of promoting prostitution in the first degree to repeal the act of advancing or profiting from prostitution of a person less than eighteen years old. Adds the offense of sex trafficking to the list of covered offenses for which property is subject to forfeiture. Adds the offense of sex trafficking to the list of crimes for which an order to intercept wire, oral, or electronic communications is permitted. Amends the eligibility requirements for an offender of promoting prostitution in the first degree if the offender knowingly advanced or profited from prostitution of a person less than eighteen years old to be able to petition the court for termination of sex offender registration requirements. Includes the offense of sex trafficking to the list of offenses in which deferred acceptance of guilty plea or nolo contendere plea does not apply. Effective 01/07/2059. (SD1)

Aloha Committee on Judiciary:

My name is Christopher D. Yanuaria, a social worker, resident of Hawai'i, and an anti human trafficking advocate. I am testifying in **STRONG SUPPORT OF SB265 (SD1)**.

Sex trafficking is modern-day slavery. This crime is widespread domestically and abroad, including right here on our beautiful shores of Hawai'i. Sex trafficking is the most appalling violation of human rights I can think of. As a local social worker and human trafficking advocate for almost 7 years now, I have learned that sex trafficking is a major problem here in our state

where we have many high risk sex trafficking businesses like massage parlors and escort services.

To prevent our state from being a hub where women and children are being sexually exploited, we must have a comprehensive sex trafficking ban. Our current prostitution statute is flawed in that it criminalizes sex trafficked victims by labeling them as “prostitutes.” This law places johns, pimps, and prostitutes in the same criminal category which makes it very difficult for them to obtain housing, higher education, and employment. We must correctly identify sex victims not as criminals, but as victims of a violent crime.

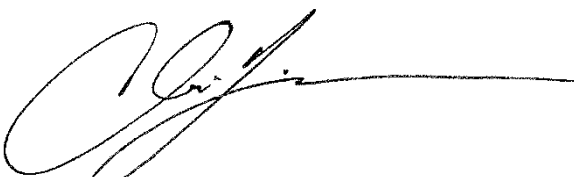
In 2010 I had the opportunity of working directly with survivors of human trafficking as a fellow with the Polaris Project, an organization in Washington D.C. that is a leader in the global fight to eradicate modern day slavery and restore freedom to survivors. The Polaris Project helped me to understand the array of services needed including health, social support, and legal in order to assist survivors in their process of recovery and reintegration into society. Failure to provide these services increases the possibility of being re-trafficked, suffering from physical and psychological consequences, substance abuse and suicide. Before we can provide these services we need a law that will correctly identify them.

SB 265 fixes our currently flawed prostitution law by changing the term “promoting prostitution” with the term “sex trafficking.” Also, SB 265 increases the penalties for traffickers helping to deter them from committing this heinous crime.

In speaking with local agencies working with survivors, there are a number of people being trafficked in our beloved state, including our local women and girls. We are about to become the last state in the nation without a comprehensive sex trafficking ban, since Virginia passed its bill. Hawai'i needs to get caught up the rest of the nation and establish a sufficient anti sex trafficking law.

**I urge you to please SUPPORT SB 265 (SD1). I support the passage of this bill, no matter what form it takes.**

Mahalo nui,

A handwritten signature in black ink, appearing to read 'Chris Yanuaria', with a long horizontal line extending to the right.

Christopher D. Yanuaria, MSW

Submitted By	Organization	Testifier Position	Present at Hearing
sherry hamrick	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danae Khan	Individual	Support	No

Comments: I support this law to make Sex Trafficking an offense